

**FILED IN CHAMBERS**  
**U.S.D.C. Atlanta**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

DEC 14 2010

JAMES N. HATTEN, Clerk  
By *JNH* Deputy Clerk

UNITED STATES OF AMERICA :  
: CRIMINAL ACTION  
v. :  
: NO. 1:10-CR-199-JEC-RGV  
CATARINA HILDERBRAND :

**REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY<sup>1</sup>**

The defendant, Catarina Hilderbrand ("defendant"), by consent, has appeared before the undersigned United States Magistrate Judge and has entered a plea of guilty to Count Two of the indictment. After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, I have determined that the guilty plea was knowing and voluntary, and that the plea to the offense charged is supported by an independent basis in fact establishing each of the essential elements of the offense. I have also determined that, to the maximum extent permitted by federal law, the defendant has voluntarily and expressly waived her right to appeal the conviction and sentence and the right to collaterally attack her sentence in any post-conviction proceedings, including by motion filed pursuant

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<sup>1</sup> Failure to file written objections to this Report and Recommendation within FOURTEEN (14) DAYS after service of a copy of this Report and Recommendation shall bar an aggrieved party from attacking such report and recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

to 28 U.S.C. § 2255, on any ground, except that the defendant may file a direct appeal of a sentence higher than the otherwise applicable advisory sentencing guideline range, or, if the Government appeals the sentence imposed, the defendant may also file a direct appeal of her sentence. It is, therefore, **RECOMMENDED** that the plea of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed accordingly.

**IT IS SO RECOMMENDED** this 14th day of December, 2010.

  
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RUSSELL G. VINEYARD  
UNITED STATES MAGISTRATE JUDGE